General Assembly

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Sixty-third session
Agenda item 72

Resolution adopted by the General Assembly

[*on the report of the Sixth Committee (A/63/436)*]

63/118. Nationality of natural persons in relation to the succession of States

The General Assembly,

Having examined the item entitled "Nationality of natural persons in relation to the succession of States",

Recalling its resolution 54/112 of 9 December 1999, in which it decided to consider at its fifty-fifth session the draft articles on nationality of natural persons in relation to the succession of States prepared by the International Law Commission,

Recalling also its resolution 55/153 of 12 December 2000, the annex to which contains the articles on nationality of natural persons in relation to the succession of States,

Recalling further its resolution 59/34 of 2 December 2004,

Taking into consideration the comments and observations of Governments[1] and the discussion held in the Sixth Committee at the fifty-ninth and sixty-third sessions of the General Assembly[2] on the question of nationality of natural persons in relation to the succession of States, with a view, in particular, to preventing the occurrence of statelessness as a result of a succession of States, as well as on the advisability of elaborating a legal instrument on this question,

Taking note, in this regard, of the efforts made at the regional level towards the elaboration of a legal instrument on the avoidance of statelessness in relation to State succession,

1. *Reiterates its invitation* to Governments to take into account, as appropriate, the provisions of the articles contained in the annex to resolution 55/153, in dealing with issues of nationality of natural persons in relation to the succession of States;

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[1] A/59/180 and Add.1 and 2; and A/63/113.

[2] *Official Records of the General Assembly, Fifty-ninth Session, Sixth Committee*, 15th meeting (A/C.6/59/SR.15), and corrigendum; and ibid., *Sixty-third Session, Sixth Committee*, 11th meeting (A/C.6/63/SR.11), and corrigendum.

2. *Encourages* States to consider, as appropriate, at the regional or subregional levels, the elaboration of legal instruments regulating questions of nationality of natural persons in relation to the succession of States, with a view, in particular, to preventing the occurrence of statelessness as a result of a succession of States;

3. *Invites* Governments to submit comments concerning the advisability of elaborating a legal instrument on the question of nationality of natural persons in relation to the succession of States, including the avoidance of statelessness as a result of a succession of States;

4. *Decides* to include in the provisional agenda of its sixty-sixth session the item entitled "Nationality of natural persons in relation to the succession of States", with the aim of examining the subject, including the question of the form that might be given to the draft articles.

67th plenary meeting
11 December 2008